

Matthew F. Wegner
9500 Ray White Road
Suite 200
Fort Worth, TX 76244
817-494-3344
matthew@attorneywegner.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:

Ashley Anderson

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§
§

Case No: 24-40129

OBJECTION TO PROOF OF CLAIM NO. 12
FILED BY KEVIN WHRITENOUR

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ELDON B. MAHON U.S. COURTHOUSE, 501 W. TENTH STREET, FORT WORTH, TX 76102-3643 BEFORE THE CLOSE OF BUSINESS ON MAY 1, 2024, WHICH IS AT LEAST 30 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE JUDGE MARK X. MULLIN, UNITED STATES BANKRUPTCY JUDGE:

Ashley Anderson, Debtor, file this *Objection to Proof of Claim No. 12 Filed by Kevin*

Whritenour, and would respectfully show as follows:

1. On January 14, 2024, the Debtors filed a voluntary petition in this Court for relief under chapter 13 of the United States Bankruptcy code.

2. The Court has jurisdiction over this matter under 28 U.S.C. §§ 1334 and 157. This matter constitutes a “core” proceeding within the meaning of 28 U.S.C. § 157(b)(2).

3. Kevin Whritenour, filed a proof of claim asserting a unsecured claim in the amount of \$1,000,000.00, which was docketed as Claim No. 12 on the Court’s ECF claims register for this case (the “Subject Claim”).

4. Per the filed claim, the amount of \$1,000,000.00 stems from a lawsuit filed by Kevin Whritenour against his ex wife, Ashley Anderson alleging fraud, theft, tortious interference and willful malicious intent. This lawsuit (23-09-0556-CVA) never went to hearing due to the automatic stay being put into place by the filing of the bankruptcy. There was no judgment awarded in the lawsuit against Mrs. Anderson.

5. The theft alleged in the lawsuit did not occur. Mrs. Anderson had given him and his counsel of the lawsuit the access to the storage units containing his personal possessions which were stored due the impending sale of the marital property multiple times. She also turned over the keys to Mr. Whritenour when so ordered to in the mediated divorce decree for the business and then Mr. Whritenour claimed the office was looted on the following business day. Mrs. Anderson turned over the keys on 7/27/2022.

WHEREFORE, PREMISES CONSIDERED the Debtor requests that the Court disallow Claim No. 12 of Kevin Whritenour, and for such other and further relief to which she may show herself justly entitled.

Respectfully submitted,

/s/Matthew F. Wegner

Matthew F. Wegner
SBOT 24031234
9500 Ray White Road
Suite 200
Fort Worth, TX 76244
817-494-3344
matthew@attorneywegner.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served concurrently with the filing of the same (a) by ECF upon all persons who have filed ECF appearances in this case, including counsel of record for the Creditor, the Trustee, The office of the United States Trustee, and all persons and entities requesting notice under Fed.R. Civ. P. 2002(m) and (b) by first class mail, postage prepaid on the following:

Dr. Kevin Writenour, AUD
% Norred Lw, PLLC
515 E. Border Street
Arlington, TX 76010

/s/Matthew F. Wegner
Matthew F. Wegner